IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital the 27th **day of** June, 2002

Criminal Misc. Bail Application No. 537 of 2002

Order on the Bail Application of the accused –Sulekh S/o Ram Swaroop, R/o village Imlikhera, P.S.Bhagwanpur, district Haridwar

CRIMINAL SIDE

Sulekh S/o Ram Swaroop, R/o village Imlikhera, P.S.Bhagwanpur, district Haridwar

……Accused

Versus

State of Uttaranchal.

……Opposite Party

Arising out of Case Crime No 277 of 2001
Under Sections 302, I.P.C.
Police Station-Kotwali Roorkee district Haridwar

By the Court

Hon'ble Irshad Hussain, J.

Heard learned counsel for the applicant and the learned A.G.A.

According to the prosecution version some co-villagers appear to have seen the occurrence and gave the information to the complainant that the deceased was assaulted by the applicant and his brother. These so-called eye witnesses did not report the matter to the police. There is no mention of source of light at the scene of occurrence. In para no.9 of the counter affidavit some eyewitnesses gave out that some incident of robbery had taken place although the information was not found genuine but this aspect of the matter create doubt in the prosecution version at this stage. Considering this, the applicant is entitled to bail.
Let the accused applicant Sulekh S/o Ram Swaroop, R/o village Imlikhera, P.S.Bhagwanpur, district Haridwar be released on bail in case crime no. 277 of 2001 under Sections 302 I.P.C. Police Station-Kotwali Roorkee district Haridwar on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of . C.J.M. Haridwar.

(Irshad Hussain, J.)

27.06.2002.
M.P.S.